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Attorneys for Defendants

RIMINI STREET, INC. and SETH RAVIN

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ORACLE USA, INC., a Colorado corporation;
ORACLE AMERICA, INC., a Delaware
corporation; and ORACLE INTERNATIONAL
CORPORATION, a California corporation,

Plaintiffs,

v.

RIMINI STREET, INC., a Nevada corporation;
SETH RAVIN, an individual,

Defendants.

Case No. 2:10-cv-0106-LRH-PAL

**DECLARATION OF ROBERT H.
RECKERS IN SUPPORT OR
DEFENDANTS' OPPOSITION TO
ORACLE'S MOTION FOR
PRESERVATION ORDER**

REDACTED

DECLARATION OF ROBERT H. RECKERS

I, Robert H. Reckers, have personal knowledge of the facts stated below and, under penalty of perjury, hereby declare:

1. I am an attorney admitted to practice *pro hac vice* before this Court in the above captioned matter, and an associate at Shook, Hardy, and Bacon LLP, attorneys for Defendants Rimini Street, Inc., and Seth Ravin (“Defendants”). I make this declaration in support of Defendants’ opposition to Oracle’s motion for preservation order.

2. Attached hereto as **Exhibit A** is a true and accurate copy of a May 25, 2010 letter from me to Fred Norton of Bois Schiller and Flexner, counsel for Oracle.

3. Attached hereto as **Exhibit B** is a true and accurate copy of a February 11, 2010 letter from Fred Norton to Michael B. Levin of Wilson, Sonsini, Goodrich and Rosati, then counsel for Rimini Street.

4. Attached hereto as **Exhibit C** is a true and accurate copy of a May 27, 2010 letter from Fred Norton to Eric Buresh of Shook, Hardy and Bacon, counsel for Rimini Street.

5. Attached hereto as **Exhibit D** is a true and accurate copy of a June 3, 2010 letter from me to Fred Norton.

6. Attached hereto as **Exhibit E** is a true and accurate copy of an August 24, 2010 email from Kieran Ringgenberg of Bois, Schiller and Flexner, counsel for Oracle, to me.

7. Attached hereto as **Exhibit F** is a true and accurate copy of a May 22, 2010 estimate for forensic imaging of Rimini Street custodians from Pivotal Guidance Inc.

8. 

9. My review of records indicates that Rimini issued a hold memorandum on May 19, 2009 requiring employees to preserve documents relevant to SAP TN and the subpoena issued to Rimini in connection therewith. This memo specifically included the retention of

1 documents related to Rimini's business model, the use of copies of customers' licensed Oracle
2 software to provide software support, automated support tools used by Rimini to download materials
3 from Oracle customer support websites, and the development, testing, documentation, packaging,
4 and delivery of Rimini's software updates. This memo was circulated to managers with the
5 instruction that they were to confirm that all employees and consultants were complying with the
6 requirements. Though the memorandum itself is subject to attorney-client and work product
7 protections, Rimini is happy to provide the Court a copy of the memorandum for *in-camera*
8 *inspection*, if the Court should so desire.

9
10 I declare under penalty of perjury under the laws of the United States that the
11 foregoing is true and correct.

12
13 Executed on August 31, 2010

/s/ Robert H. Reckers
Robert H. Reckers, Esq.